

TOWN OF LANESBOROUGH SELECTMEN'S MEETING  
Submitted by Diane Stevens, Town Secretary  
November 10, 2014

Present: Mr. John Goerlach, Chairman  
Mr. Robert Ericson  
Mr. Henry Sayers  
Mr. Paul Sieloff, Town Administrator

Warrants: Warrants Signed

The meeting was opened by John Goerlach at 6.00 p.m.

Public Comment  
None.

Permit(s), Contract(s), Use of Town Property and Appointment(s)

**Berkshire Village Liquors - Change of Sunday Hours**

Joseph S. Szczepaniak, Jr. filed a request to change the Sunday hours of Berkshire Village Liquors from 12 p.m. - 11:00 p.m. to 10:00 a.m. - 11:00 p.m. in accordance with a new provision from the Alcoholic Beverage Control Commission. Motion 14-193. Motion made by Henry Sayers to approve the change in hours request of Berkshire Village Liquors, seconded by Robert Ericson. Unanimously voted. [#1]

**Not Just Pretzels - Common Victualler License**

Syed A. Quaseem purchased Fairly Twisted, a pretzel vending business at the Berkshire Mall. The new business is now named Not Just Pretzels. The Board stated that Mr. Quaseem needs to have a new license issued in the name of the new business and pay the \$50.00 fee. Motion 14-194. Motion made by Robert Ericson to issue a Common Victualler license to Not Just Pretzels for the 2014 calendar year, seconded by Henry Sayers. Unanimously voted. The license will need to be renewed for 2015. [#2]

**Miller's Petroleum Contract**

Miller's Petroleum Systems, Inc. was awarded the bid for the new fueling system at the Lanesborough Police Station. Mr. Sieloff stated that he sent the contract to Town Counsel for review and asked the Board to approve the concept of the contract and the amount and give the Chairman of the Board the authority to sign the document when it comes back from Town Counsel. Motion 14-195. Motion made by Henry Sayers to approve the contract with Miller's Petroleum Systems, Inc. as approved by Town Counsel in the amount of \$19,062.90, seconded by Robert Ericson. Unanimously voted. Mr. Sayers wants language in the contract to leave all equipment on site and the Town will dispose of it. [#3]

**Non-Sworn In Appointments issue**

Mr. Sieloff told the Board that staff have been diligently trying to get all committee members in to Town Hall to be sworn in and to sign their appointment slips and there are still 10 to 15 people who have not been sworn in. Mr. Sieloff asked the Board to issue a statement that if committee members are not sworn in by December 31<sup>st</sup> that they have resigned their position. Mr. Sayers asked if the people are acting in their capacity and Mr. Sieloff stated that he thought many were. John Goerlach stated that he would like to see the list. Mr. Sieloff stated that he would email the Board the list for their review.

#### Opening of gate at Potter Mountain Road for Hunting Season

Mr. Sieloff asked if the Board would like him to authorize the opening of the gate as it has been done in the past. Mr. Sayers stated that he would like to have the State open the gate on Monday mornings and close it on Friday evenings as there have been problems in the past with leaving it open. Mr. Goerlach asked Mr. Sieloff to check with the State to see if this can be done.

#### Proposed Energy Committee Bylaw

Mr. Ericson would like this put on the next agenda for review. [#4]

#### Police Department Heating System Proposals/Town Hall Roof Insulation Project Estimate/Roof HVAC Cover Installation

Mr. Ericson stated that he had made some of the necessary repairs in the roof area including closing the air conditioning unit and will keep working until work is complete. Mr. Ericson stated that the Library portion has pulled away about ½ inch from the rest of the building. Mr. Goerlach stated that this should be checked into. Mr. Sieloff stated he would talk to Mr. Ericson and bring it back at one of the next two meetings.

#### National Street Outbuildings follow up

Mr. Sayers stated that the owner is working on it and would like this put on the next agenda to make sure the work is completed.

#### Proposed Use of Landfill for Town Dog Park

Mr. Sieloff stated that he and DPW Director William Decelles are not enthusiastic about this proposal and that the original applicant wanted a fenced in area which the Town cannot provide at that location. Mr. Sieloff asked the Board for guidance. Mr. Goerlach asked if a 30 x 40 area could be fenced in at Laston Park. Mr. Sieloff stated that a resident came in this morning complaining about Laston Park and a man not having his dog on a leash which makes it a liability issue for the Town. Mr. Goerlach asked the other members of the Board what they wished to do. Mr. Sayers stated he didn't want the Town to have to spend any money to accomplish this. Mr. Ericson stated it is the owner's responsibility and that they should use their own property. The Board agreed not to review this matter any further. Motion 14-196. Motion made by Robert Ericson to not look any further into this matter, seconded by Henry Sayers. Unanimously voted.

#### Town Licenses and additional payments

Mr. Sieloff stated that Town licenses are coming due at the end of the year and asked the Board if they could set a policy about not issuing licenses until licensees are current with any taxes and/or fees due to the Town. Mr. Sayers stated that he thought a license couldn't be renewed if payments were not up to date. Mr. Sieloff stated that it has never been enforced. Mr. Sieloff stated that the Town could make it so that, at the very least, a payment plan is in place before a license would be issued and/or renewed. Mr. Ericson asked for a list of outstanding fees for licensees. Mr. Sieloff stated that he would speak to the tax collector. The Board agreed that no licenses should be issued unless all outstanding taxes or fines are paid or that the business is on a tax payment plan.

#### Report on Status of ID Badges

Mr. Sieloff asked Mrs. Stevens how many Town employees were not issued ID Badges. Mrs. Stevens stated that 4 badges had not been issued due to lack of necessary photographs. A list of Town employees without ID badges will be given to the Board at the next meeting.

#### Approve 2015 Board of Selectmen Meeting & Holiday Schedules

Mr. Sieloff presented the Board with a proposed schedule for the Selectmen's meetings and Town Hall holiday schedule for 2015. Motion 14-196. Motion made by Henry Sayers to adopt the 2015 Selectmen Meetings/Holiday Schedule as presented to the Board, seconded by Robert Ericson. Unanimously voted. [#5]

#### Town Meeting Article relating to Orebed Road Waterline Project - send out engineer proposals

Mr. Sieloff stated that he has had conversations with the Department of Environmental Protection and the Board of Water Commissioners and believes that most of this project can be done, with the Water District's support, in-house. Mr. Sieloff stated that there are very few items that would require an engineer. He suggested that the Town have the Board of Water Commissioners install the water line starting at the far end of the landfill and the Town would start at the other end. The Town could dedicate 2 full time employees from the Highway Department, hire 2 seasonal employees and rent the necessary equipment to complete this project and the work should be able to be completed by the end of 2015 which is what the Department of Environmental Protection wants. Mr. Sieloff stated that DPW Director William Decelles will work on preliminary numbers if the Board would like to move forward in this direction. Mr. Goerlach likes this concept. Mr. Ericson asked who would be in charge of the project. Mr. Goerlach stated that the one with the license should be in charge which would be the Water Department. Mr. Sieloff stated that the Town would have to contract out for specialized work and Mr. Goerlach stated that the Town could research the cost for this work to make sure that the DPW Director has enough money in the budget. Mr. Sieloff stated that this would save money on construction oversight because an engineer would only need to be involved for certain aspects such as verifying the capacity of the existing system, a topographic survey for the Water District and assistance in filing the financing application. Mr. Goerlach asked if the Water District already had the capacity information because of the upgrade work done 4 years ago on the system. Mr. Sieloff stated that he would check into this. Mr. Sieloff stated that he would put something together and try to get some responses from engineers and will get back to the Board.

#### Police Chief Position - Search Process

Marvin Michalak and Raymond Roberts from the Police Advisory Review Commission came before the Board to discuss how they wish to proceed with the hiring of a new Police Chief as Chief Bashara will be retiring in May of next year. Mr. Michalak stated that in the past the Police Review Commission has conducted the search, handled the interviews and given their recommendations to the Board. Mr. Michalak asked the Board if they had a preferred candidate, if they wanted to promote from within or did they want a new candidate. If a new candidate is their choice, do they want to stay within Berkshire County or did they want to branch out and conduct a State wide or out of State search. The Board stated that they have not had a formal discussion. Mr. Sayers stated that he would like to get the best candidate they can and asked the Commission how far they branched out with their last search. Mr. Michalak said they did

a search of Western Massachusetts. Mr. Sayers asked if the Town wanted to make it mandatory that the new Chief live in Town or in Berkshire County stating that it would be better for response time to be closer and if it is an out of State candidate the Town should make sure the proper licenses, etc. are obtained. Mr. Sayers asked how long it took the Commission the last time this search was conducted. Mr. Michalak stated it took approximately 3 weeks, that they interviewed 9 or 10 candidates and brought back 3 for a second interview before making their recommendation to the Board. Mr. Goerlach stated that if the search began in January it should give the Board enough time to make a decision. Mr. Ericson asked about the possibility of sharing services with another Town as a way to save money since we are a small Town and asked how much salary the Town willing to pay. Mr. Michalak stated that the Commission has never participated as far as salary. Mr. Goerlach stated that he believes it is a certain percentage over the highest officer's pay and asked Mr. Sieloff to check with the Chief to make sure that is accurate. Mr. Ericson stated that the Board needs to set a salary to give to the Police Advisory Commission to include in their search. Mr. Sayers asked about making it a requirement to have medical training. Mr. Michalak stated they could look into that. Mr. Sieloff stated that they could make it a requirement that they obtain a medical certification within a year of taking the position and not make it a requirement on the application. Mr. Sieloff stated that they should also make it a requirement to become a resident of Berkshire County within 6 months of taking the position. Mr. Roberts asked if there was an archive as to what they did in the past. Mr. Sieloff stated that Mr. Michalak could contact him to meet on Thursday to discuss this. Mr. Goerlach stated that he believed we had qualified persons in house but we should broaden our search to outside the department as well to get the best candidate. Mr. Sieloff stated that if the Town needs more time they could have someone in-house in an acting capacity after Chief has retired until a candidate is hired. Mr. Ericson stated that we should direct the Police Advisory Commission to check into the possibility of partnering with other Towns for the position. Mr. Goerlach asked Mr. Sieloff to check with other town administrators to see if this is a possibility. Mr. Sieloff stated that he has done this informally but will check into it in more depth. Mr. Goerlach asked Mr. Ericson which towns he would like to partner with. Mr. Ericson stated Hancock, New Ashford, Dalton, and Cheshire. Mr. Goerlach asked if there was a charter or regulation that the Town has to have its own chief. Mr. Sayers stated that in 1963 the Town voted to appoint a full time police chief but he did not know if it was a requirement. Mr. Sayers asked Mr. Sieloff to check into this before going forward with the possibility of sharing a chief with other towns.

Other business which could not have been reasonably foreseen within 48 hours of the meeting

Mr. Goerlach asked about the Narragansett drainage project. Mr. Sieloff stated that DPW Director Decelles stated that they would have to do some clean-up work in the Spring but the project is essentially completed. Mr. Sieloff stated that the issue of the safety at the intersection will be resolved soon with an additional stop line and warning.

Mr. Goerlach asked about the drainage work at the intersection of Putnam Road and Meadow Lane and Mr. Sieloff stated that the work should commence at the beginning of next week.

Mr. Goerlach asked Mr. Sieloff to look into a possible issue with multiple repairs to the 2009 GMC Dump Truck with the Highway Department.

#### Selectmen's Items

Mr. Sayers asked Mr. Ericson the status of the hot water heaters for the Police Department. Mr. Ericson stated he looked at a couple of different options at an approximate cost of \$200.00. He stated that both options were electric. Mr. Sieloff stated that the Town is waiting to hear from the State regarding an energy committee grant before we move forward.

Mr. Sayers talked about the nice job that the State did paving Balance Rock Road roadway and parking lot.

Mr. Ericson talked about the Energy Reduction Plan being submitted to the State and stated that the Town received an email stating that an announcement would be made soon. Mr. Goerlach asked if it would be enough money to rebuild the Police Department. Ms. Sieloff stated that the money would not be for rebuilding. Mr. Goerlach asked about the possibility of insulating the building and Mr. Sieloff stated that we can make that part of an action plan once we receive approval. Mr. Ericson talked about cost savings measures at the Elementary School that could be taken to conserve energy during school vacations and summers, including better control of the hot water heaters.

#### Town Administrator's Report

Mr. Sieloff asked if the Board wanted to have a budget meeting with the Mount Greylock School Committee and the Finance Committee. The Board said they would like to have this meeting and Mr. Sieloff stated he would try to set up a meeting in December.

#### Approve Minutes

Motion made by Henry Sayers to approve the minutes of the Tri-Committee Meeting of 10/23/14, seconded by Robert Ericson. Unanimously voted.

Mr. Ericson had revisions to the minutes of October 27, 2014. Changes will be made and brought back to next meeting for approval.

#### Adjournment

Motion to adjourn meeting made by Robert Ericson, seconded by Henry Sayers. Unanimously voted. Meeting adjourned at 7:28 p.m.

#### Footnotes:

- [#1] Berkshire Village Liquors Change of Hours Request
- [#2] Not Just Pretzels Common Victualler License
- [#3] Miller's Petroleum Proposed Contract
- [#4] Proposed Energy Committee Bylaws
- [#5] 2015 Board of Selectmen Meeting & Holiday Schedule